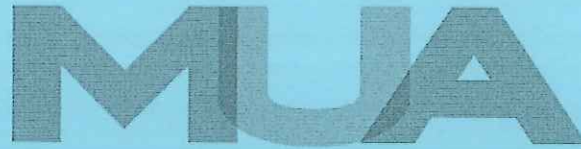


The
Management
University
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UNDERGRADUATE UNIVERSITY EXAMINATIONS
SCHOOL OF MANAGEMENT AND LEADERSHIP
DEGREE OF BACHELOR OF MANAGEMENT AND
LEADERSHIP/BACHELOR OF COMMERCE

HRM 402/HRM 321 : LABOUR LAWS

DATE: 5TH APRIL 2018

DURATION: 2 HOURS

MAXIMUM MARKS: 70

INSTRUCTIONS:

1. Write your registration number on the answer booklet.
2. **DO NOT** write on this question paper.
3. This paper contains **SIX (6)** questions.
4. Question **ONE** is compulsory.
5. Answer any other **THREE** questions.
6. Question **ONE** carries **25 MARKS** and the rest carry **15 MARKS** each.
7. Write all your answers in the Examination answer booklet provided.

QUESTION ONE

Read the Case Study below carefully and answer the questions that follow:

Mkulima a member of "z" workers union" has been working for KAZI industries for several years. On 30th December 2016 he got into an argument over the KCSE results that had just been released with his supervisor Mkami. In the heat of a moment, he shouted at Mkami "go to hell" you form four drop out, who made you boss over university graduates like us anyway.

Subsequently Mkulima who has previously had no disciplinary incidents has been served with a letter of summary dismissal, no reason other than that he had committed gross misconduct as quoted in the letter.

Required:

- a) Define summary dismissal (3marks)
- b) Asses the grounds that justify summary dismissal of an employee? (10marks)
- c) Summary dismissal is one of the modes of terminating employment contracts. Apart from summary dismissal evaluate the other modes of terminating employment contracts? (12marks)

QUESTION TWO

- a) Demonstrate the functions of a trade union (5marks)
- b) To qualify as an employee under a contract of service certain tests must be applied in determining who is an employee. Illustrate (10marks)

QUESTION THREE

- a) Write short notes on redundancy and lay- off (5marks)
- b) Evaluate fully the sources of labour laws in Kenya (10marks)

QUESTION FOUR

- a) Argue the circumstances under which an employer may refuse to compensate an injured workman. (5marks)
- b) Employees may participate in both lawful and unlawful strikes. Propose the consequences of participating in a strike which is not in compliance? (10marks)

QUESTION FIVE

- a) Distinguish between a lay-off and lock-out (5marks)
- b) It is not compulsory to register a trade union. Discuss circumstances that may warrant refusal to register a trade union (10marks)

QUESTION SIX

- a) Analyze the concept of vicarious liability under a contract of employment (5marks)
- b) Asses the essential elements of an employment contract (10marks)

